

YEAS—Messrs. Allen, Bryan, Burroughs, Caldwell, Flanagan, Grimes, Hill, Hord, McDade, Martin, Palmer, Potter, Scarborough, Superviele, Taylor of Fannin, Taylor of Houston and Truit—17.

NAYS—Messrs. Guinn, Maverick, Pirkey, Taylor of Cass and Whitaker—5.

On motion of Mr. Taylor of Cass, the Senate accepted the invitation of the House to go into the election of a Commissioner of Claims, on to-morrow, at 10 o'clock, A. M.

On motion of Mr. McDade, the Senate adjourned till to-morrow morning, at 8 o'clock.

#### THURSDAY, August 7th, 1856.

The Senate was called to order by the President pursuant to adjournment—prayer by the Chaplain—roll called—quorum present. The journal of yesterday was read and adopted.

Mr. Scott, chairman of the committee on Public Lands, made the following reports:

The committee on Public Lands, to which was referred the petition of John W. Hamilton, I. Craddock and two hundred and forty other petitioners of the county of Trinity, have had the same under consideration, and find that there are already bills pending, proposing the repeal of the reserve of lands made by the passage of the act for the construction of the Mississippi and Pacific Railroad, and also to grant the pre-emptor his homestead, by his paying for the same at a low price; and in those bills, all is granted that your committee think ought to be done in the premises, and I am therefore instructed to report the petition back and ask that it be laid upon the table.

The committee on Public Lands, to which was referred the petition of Robert Cassin and William A. Tennison, asking the Legislature to put them as members of the Navy of the late republic of Texas, upon the same footing, as regards the granting of bounty lands, as the army of of said republic has already been placed. The committee having already considered and reported upon this subject, which report is now upon the table for the consideration of the Senate, therefore a majority of the committee instruct me to report the petition back to the Senate and ask that it be laid upon the table.

The committee on Public Lands, to which was referred "a bill for the relief of Arthur G. Wavell," have considered the same, and a majority of said committee have instructed



me to report the same back to the Senate and recommend the favorable consideration of the same.

The committee on Public Lands, to which was referred the petition of sundry citizens of Cook and Denton counties, praying the Legislature to pass an act confirming and perfecting their inchoate titles as pre-emptionists &c., have considered the same and find that the Legislature has already passed acts or have them now under consideration, going as far to grant the request of the aforesaid petitions in relation to granting and confirming their claims as pre-emptors, as the committee think, either law or equity demands. I am therefore instructed to report the bill back to the Senate and recommend that it be laid upon the table.

A message was received from the House, informing the Senate that the House had passed the following bills, originating in their body :

A bill defining the times of holding the several District Courts of the fifth Judicial District.

A bill for the relief of Patsey Kitchens, Elizabeth Smith and Francis L. Blanton.

A bill to be entitled an act to incorporate the town of New Salem, and

A bill for the relief of the heirs of Thomas Harrell deceased.

Also, originating in the Senate, a Joint Resolution instructing our delegation in Congress in relation to the Vigilance Committee in California.

Mr. Allen, chairman of the committee on Enrolled bills, reported the following bills correctly enrolled, properly signed and on yesterday presented to the Governor :

A bill for the relief of A. Savary.

A bill to authorize Wm. M. Lee and others to construct a bridge across the East fork of the Trinity river, at or near Lee's ferry.

A bill to amend an act to incorporate the Union Marine and Fire Insurance Company, approved January 26th, 1848.

A bill for the relief of Benjamin Bryant.

A bill to incorporate the Texas Marine Railway and Building Association.

A bill for the relief of Samuel McKneely.

A bill for the relief of A. M. Clare.

A bill to authorize the heirs of Martha Barker or her as-



signee to raise a location therein named, and to locate the same on any vacant land.

A bill for the relief of Hamilton Ledbetter.

A bill to incorporate the town of Boston, in the county of Bowie.

And a bill to amend an act to provide for the investment of the Special School fund in the hands of Railroad Companies incorporated by the State.

A message was received from the House, informing the Senate that the House had passed a bill for the relief of the heirs of Mrs. Mary Hamilton, and

A bill to authorize John Mooney to construct a dam across the San Marcos river, both originating in the House.

Mr. Millican, chairman of the committee on roads, bridges and ferries, made the following reports :

The committee on Roads, Bridges and Ferries, have examined a bill to incorporate the Yegua Turnpike and Bridge Company, and recommend that the 7th section be struck out, and that the bill be passed.

The committee on Roads, Bridges and Ferries have considered a bill supplemental to an act entitled an act authorizing and requiring the County Courts to regulate roads, appoint overseers &c., and direct me to report the same to the Senate, with the recommendation that the 2d Section be struck out, and the bill as amended then be passed.

Mr. Potter, chairman of the committee on the Judiciary, made the following report :

The Judiciary committee have considered a bill supplemental to an act to regulate proceedings in the County Courts pertaining to the estates of deceased persons, and a majority of the committee direct me to return the same to Senate, and recommend that it be laid on the table.

Mr. Taylor of Cass, chairman of the committee on the Public Debt, made the following report :

The committee on the Public Debt, herewith report back to the Senate the petition of the heirs of George Roberson, and ask to be discharged from the further consideration of the same.

On motion of Mr. Hill, the rule was suspended, the report taken up and adopted.

At the request of Mr. Hill, the Senate permitted him to withdraw the petitions and vouchers of Romles Flowers, of Geo. Robison, of Conrad Jergins, of Thos. G. Dunn, of C. P.



Flack, of H. A. Adams, of Joseph Laurence and of William E. Howith.

Mr. Taylor of Houston, from the committee on engrossed bills, reported a bill to incorporate the town of Woodville, correctly engrossed.

Mr. White introduced a bill, releasing the right of the State to Kempers Island in the Guadalupe river; read 1st and 2d times, and referred to the committee on Public Lands.

Mr. Scott introduced a bill, supplemental to an act to incorporate the Texas Western Railroad Company, approved February 16th, 1852; read 1st time.

Mr. Scott moved a suspension of the rule, that the bill might be put upon its engrossment—lost, and bill read a 2d time and referred to the committee on Internal Improvements.

Mr. Caldwell introduced a bill to incorporate the Austin city bridge Company; read 1st time.

On motion of Mr. Caldwell, the rule was suspended; bill read a 2d time and ordered to be engrossed.

On motion of Mr. Truit, the rule was further suspended; bill read a 3d time and passed by the following vote:

YEAS.—Messrs. Bryan, Burroughs, Caldwell, Flanagan, Grimes, Guinn, Hill, Lott, McDade, Martin, Maverick, Millican, Palmer, Potter, Scarborough, Scott, Superviele, Taylor of Cass, Taylor of Houston, Truit, Weatherford, Whitaker and White—23.

NAYS.—None.

On motion of Mr. Taylor of Cass, the motion to reconsider a bill to authorize the County Court of Tarrant county to order an election to locate permanently the county seat of said county, was taken from the table.

The motion to reconsider was then lost by the following vote:

YEAS.—Messrs. Bryan, Burroughs, Guinn, Lott, Maverick, Millican, Scarborough, Superviele, Whitaker, White and Wren—11.

NAYS.—Messrs. Allen, Armstrong, Caldwell, Flanagan, Grimes, Hill, McDade, Martin, Palmer, Pedigo, Pirkey, Potter, Scott, Taylor of Cass, Taylor of Fannin, Taylor of Houston, Truit and Weatherford—18.

On motion of Mr. White, a bill to authorize L. S. Owens and his associates or assigns to make and maintain a toll bridge



across the San Antonio river, was taken up and referred to the Committee on Roads, Bridges and Ferries.

Mr. Burroughs moved a reconsideration of the vote on the final passage of the bill to establish a Code of Criminal Procedure for the State of Texas.

The president ruled the motion out of order, because the bill had passed out of the possession of the Senate, by having been reported to the House.

Mr. Scott introduced the following resolution :

"That hereafter the bills or other matter, shall not pass out of the possession of the Senate for one entire day after any vote has been taken upon the same, which could be reconsidered"—laid over one day under the rules of the Senate.

On motion of Mr. Burroughs, a bill authorizing and requiring the records of Menard County to be transcribed, was taken up, read and ordered to be engrossed.

On motion of Mr. Pedigo, the rule was suspended; bill read 3d time and passed.

On motion of Mr. Taylor of Cass, the Senate took a recess of five minutes, preparatory to going into the House of Representatives, for the election of a Commissioner of Claims.

At the expiration of the time, the Senate was called to order and proceeded to the hall of the House.

#### JOINT SESSION.

Roll called—quorum present.

The object of the Joint Session having been explained by the Speaker of the House, Mr. Maverick nominated, on the part of the Senate, Mr. James C. Wilson.

Mr. Rushing nominated Mr. Jas. C. Wilson on the part of the House.

There being no other nomination, the following Senators voted for Mr. Wilson :

Messrs. Allen, Armstrong, Bryan, Burroughs, Caldwell, Flanagan, Grimes, Guinn, Hill, Hord, Lott, McDade, Martin, Maverick, Millican, Palmer, Pedigo, Potter, Scarborough, Scott, Superviele, Taylor of Cass, Taylor of Houston, Truit, Weatherford, Whitaker, White and Wren.

Mr. Taylor of Fannin, voted for blank.

Mr. Wilson received seventy votes on the part of House, and having received a majority of all the votes, was declared by the Speaker, duly elected.

The Senate then retired to their chamber.

On motion of Mr. Grimes, the Senate proceeded to the con-



sideration of the bills which had passed the House, upon their first reading in the Senate.

A bill for the relief of David F. Owen and Abner B. Spier; read 1st time.

On motion of Mr. Guinn, the rule was suspended; read 2d time and referred to the committee on the Judiciary.

A bill for the relief of M. K. Sherman; read 1st time.

On motion of Mr. Hill, the rule was suspended; bill read 2d time and referred to the committee on private land claims No. 1.

Joint Resolution to incorporate the officers of the late Navy of Texas into the Navy of the United States; read 1st time.

On motion of Mr. Potter, the rule was suspended, bill read 2d time and passed to a 3d reading.

On motion of Mr. Potter, the rule was further suspended; bill read 3d time and passed.

A bill to amend the 2d section of an act to incorporate the Dallas Bridge and Causeway Company; read 1st time.

On motion of Mr. Weatherford, the rule was suspended; bill read 2d time and passed to a 3d reading.

On motion of Mr. Guinn, the rule was further suspended; bill read 3d time and passed by the following vote:

Yeas.—Messrs. Allen, Armstrong, Bryan, Burroughs, Caldwell, Flanagan, Grimes, Guinn, Hill, Hord, Lott, McDade, Martin, Maverick, Millican, Palmer, Pirkey, Potter, Scarborough, Scott, Superviele, Taylor of Cass, Taylor of Houston, Truit, Weatherford, Whitaker, White and Wren—28.

NAYS.—None.

A bill to confirm the title issued to W. Stanley; read 1st time.

On motion of Mr. Whitaker, the rule was suspended; bill read 2d time.

On motion of Mr. Potter, the bill was amended by adding to Sec. 1, "Provided that the rights of third parties shall in no wise be effected by this act."

The bill was then passed to a 3d reading.

On motion of Mr. Whitaker, the rule was further suspended; bill read 3d time and passed.

A bill to incorporate Cartmell Lodge No. 39, I. O. O. F.; read 1st time.

On motion of Mr. McDade, the rule was suspended; bill read 2d time and passed to a 3d reading.

On motion of Mr. McDade, the rule was further suspended ; bill read 3d time and passed by the following vote :

YEAS.—Messrs. Allen, Armstrong, Caldwell, Flanagan, Grimes, Guinn, Hill, Hord, Lott, McDade, Palmer, Pirkey, Potter, Scarborough, Taylor of Fannin, Truit, Weatherford, Whitaker and White—19.

NAYS.—Messrs. Burroughs, Maverick, Millican, Scott and Wren—5.

A bill to incorporate Jamestown Academy ; read 1st time.

On motion of Mr. Lott, the rule was suspended ; bill read 2d time and passed to a 3d reading.

On motion of Mr. Lott, the rule was further suspended ; bill read 3d time and passed by the following vote :

YEAS.—Messrs. Allen, Armstrong, Caldwell, Flanagan, Grimes, Guinn, Hill, Hord, Lott, Martin, Palmer, Pirkey, Potter, Scarborough, Scott, Superviele, Taylor of Fannin, Truit, Whitaker and White—20.

NAYS.—Messrs. Burroughs, McDade, Maverick, Millican and Wren—5.

A bill authorizing C. C. DeWitt to construct a bridge across the Guadalupe river, near the town of Gonzales ; read 1st time.

On motion of Mr. Guinn, the rule was suspended ; bill read 2d time and referred to the committee on Roads, Bridges and ferries.

A bill for the relief of the heirs of Jonathan Clark ; read 1st time.

On motion of Mr. Wren, the rule was suspended ; bill read 2d time and referred to the committee on Private Land claims No. 1.

A bill for the relief of John A. Robb ; read 1st time.

On motion of Mr. Guinn, the rule was suspended ; bill read 2d time and referred to the committee on Private Land Claims No. 2.

A bill authorizing the County Court of McLennan County to levy a special tax, for two years ; read 1st time.

On motion of Mr. Armstrong, the rule was suspended ; bill read 2d time and passed to a 3d reading.

On motion of Mr. Armstrong, the rule was further suspended ; bill read 3d time and passed.

A bill for the relief of the heirs of James Selman, deceased ; read 1st time.

On motion of Mr. Guinn, the rule was suspended ; bill read



2d time, and referred to the committee on Private Land Claims No. 2.

A bill for the relief of Samuel Beaty ; read 1st time.

On motion of Mr. Scott, the rule was suspended ; bill read 2d time and referred to the committee on Private land claims No. 1.

A bill for the relief of John Moody ; read 1st time.

On motion of Mr. Lott, the rule was suspended ; bill read 2d time and referred to the committee on Private Land claims No. 1.

A bill for the relief of Samuel C. Stockbridge's heirs and R. G. Dunlap's and Carmel Monchaca ; read 1st time.

On motion of Mr. McDade, the rule was suspended ; bill read 2d time and passed to a 3d reading.

On motion of McDade, the rule was further suspended ; bill read 3d time and passed.

A bill to locate the seat of justice in Angelina county ; read 1st time.

On motion of Mr. Whitaker, the rule was suspended ; bill read 2d time and passed to a 3d reading.

On motion of Mr. Whitaker, the rule was further suspended ; bill read 3d time and passed.

A bill to amend the 3d section of an act to provide for the investment of the special School Fund in the bonds of Railway Companies, incorporated by the State ; read 1st time.

On motion of Mr. Allen, the rule was suspended ; bill read 2d time and referred to the committee on Internal Improvements.

A bill for the relief of Peter Dowd ; read 1st time.

On motion of Mr. Hord, the rule was suspended ; bill read 2d time and referred to the committee on Private Land claims No. 1.

A bill for the relief of Elizabeth Howard and other persons therein named ; read 1st time.

On motion of Mr. Flanagan, the rule was suspended ; bill read 2d time and referred to the committee on Private Land claims No. 1.

A bill for the relief of Robt. S. Patton ; read 1st time.

On motion of Mr. Flanagan, the rule was suspended ; bill read 2d time and referred to the committee on Claims and Accounts.

A bill for the relief of Robt. S. Patton ; read 1st time.

On motion of Mr. Whitaker, the rule was suspended ; bill



read 2d time and referred to the committee on Public Lands  
A bill for the relief of Wm. Lee ; read 1st time.

On motion of Mr. Guinn, the rule was suspended ; bill read 2d time and referred to the committee on Private Land claims No. 2.

A bill for the relief of the heirs of Susan Sallie ; read 1st time.

On motion of Mr. Guinn, the rule was suspended ; bill read 2d time and referred to the committee on Private Land claims No. 2.

Mr. Scott offered the following Resolution.

*Resolved*, That the Senate will not receive, entertain or consider any further business, the investigation of which properly belongs to the Court of Claims, by law."

Laid over until to-morrow, under rule of the Senate.

On motion of Mr. Scott, a bill to fix the amount to be paid to the Special Judges of the Supreme Court for special services, was taken up and read 2d time.

Mr. Potter offered the following amendments : "In last line of Caption, strike out the word "special" and insert "their."

SEC. 1. Line 6th, strike out "that said" and insert "such."

SEC. 2. After the word "has" in 6th line, strike out all to "the" in the 11th line, and insert "set in the trial of any cause determined in said Court and assisted in the determination of the same."

On motion of Mr. Guinn, the bill and amendments were referred to the Judiciary committee.

A bill for the relief of Eli Mitchell ; read 1st time.

On motion of Mr. Guinn, the rule was suspended ; bill read 2d time and referred to the committee on Claims and Accounts.

A bill for the relief of Edward Teal, Sen'r ; read 1st time.

On motion of Mr. Guinn, the rule was suspended ; bill read 2d time and referred to the committee on Private Land claims No. 1.

A bill for the relief of Edward F. Stansbury's heirs ; read 1st time.

On motion of Mr. Scott, the rule was suspended ; bill read 2d time and referred to the committee on Private Land claims No. 2.

Mr. Allen, chairman of the committee on Enrolled bills, reported a Joint Resolution, instructing our Delegation in Congress, in relation to the Vigilance Committee in Califor-



nia, correctly enrolled, properly signed and this day presented to the Governor.

On motion of Mr. Millican, a bill to incorporate the Yegua turnpike and bridge company, with report of the committee on Roads, Bridges and Ferries, offering an amendment thereto, was taken up, read, and report adopted.

The bill was then ordered to be engrossed.

On motion of Mr. Bryan, the rule was suspended; bill read 3d time and passed by the following vote:

YEAS.—Messrs. Bryan, Caldwell, Flanagan, Grimes, Guinn, Hill, Hord, McDade, Martin, Maverick, Millican, Palmer, Pirkey, Potter, Scarborough, Scott, Superviele, Taylor of Cass, Taylor of Fannin, Taylor of Houston, Truit, Weatherford and White—23.

NAY—Mr. Whitaker—1.

A message was received from the House, informing the Senate that the House had passed the following Resolution:

*Resolved*, that the Senate concurring, the Legislature will adjourn *sine die* on the 1st Monday in September, 1856."

On motion of Mr. Martin, the Senate adjourned till to-morrow morning 8 o'clock.

#### FRIDAY, August 8th, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

A message was received from the House informing the Senate that the House had passed the following bills originating in the Senate:

A bill to incorporate Gonzales Lodge, I. O. O. F.

A bill to establish the Mechanic's Institute.

A bill to provide an office for the Court of Claims.

A bill to incorporate the town of Wheelock, in the county of Robertson.

Joint Resolution asking the establishment of a direct mail route from Brownsville to Austin.

A bill to incorporate the town of Woodville.

A bill to incorporate Hopkins Encampment No. 7, of the I. O. O. F.

And that the House had passed a substitute for the Senate's bill, supplemental to an act to incorporate the Aransas Road Company, approved February 14th, 1852.